MISCL.

P. W. D

G.O. No. 724 W

Dt. 23. 6. 1924

Bellary Electric Supply Company

Scott. H-48—33,702—27-11-29.

P W (1924) Department.

P. 462E

Mis. SERIES.

G.O. No. 724 u

DATED 23 6. 429

[Despatch Abstract.]

B E L L A R Y.

Dated 20th. August 23.

From,

M.R.Ry G.Ramachendra Chetty garu and others,

Licensees for the supply of electric energy

B e l l a r y.

To

The Secretary to Government,

Public Works Department

M A D R A S.

Sir,

With reference to G.O.No.815 W dated 16-8-23 We have the honour to intimate that we have assigned the License and the connected records therewith to the Bellary Electric Supply Company Ltd.Bellary on 20th.August 1923 as permitted in the G.O.referred to above.

We have the honour to be

Sir,

Your most obedient servants.

G. Ramachandra Chetty

Tappal

The Bellary Electric Supply Co., Ltd.

S. M. HUSSAIN,
Managing Director.

ADMINISTRATION
23/AUG/23
CURRENT NUMBER
2740

29, KINGHI CHETTY STREET,
Bellary

Madras, 20th. August 1923.

To

The Secretary to Government,

Public Works Department,

MADRAS

Sir,

With Reference to G.O.No.815 W dated 16-8-23 I have the honour to report that the Licensees for the supply of electric energy to Bellary have this day assigned their License to the above said Company together with the connected records.

I have the honour to be

Sir,

Your most obedient servant

Managing Director
For The Bellary Electirc Supply Co.Ltd

The Bellary Electric Supply Co., Ltd.

S. M. HUSSAIN,
Managing Director.

FORT,
Bellary.

Bellary, 1st September 1923

M.R. Kharegat, Esq., Assoc.M.Inst.C.E.,

Offg: Joint Secretary to the Government of Madras,

P.W.D. (Buildings & Roads),

M A D R A S.

Dear Sir,

Assignment of Bellary Electric License 1921.

We have to acknowledge receipt of your letter dated the 30th ult. No.2736-Ad/23-1 and have the pleasure in enclosing herewith a copy of the deed assigning to us the Bellary Electric License 1921.

Yours faithfully,

Managing Director.

Enclos: 1.

True copy. 5

Memorandum of Agreement made and entered into this 4th day of July 1922 between 1. G. Ramachendra Chetty, son of G. Narasimha Chetty, Hindu, Vysia, 2. K. Akkappa Row, son of K. Budoji Row, Hindu, Kashathria, 3. Majjiga Erappa, son of M. Marappa, Hindu, Lingayat, 4. Jantakal Chinna Rachappa, son of J. Veerabadrappa, Hindu, Lingayat, 5. Jade Sitha Lingappa, son of J. Soogappa, Hindu, Lingayat, 6. G. Pakeerappa, son of G.Siddappa, Hindu, Padmasala, 7. K.S.N. Katappa Row, son of K.S.N. Thulujamram Rao, Hindu, Kashtria, 8. K. Abdul Rahim Sahib, son of Kader Sahib, Sunni, Mahomedan, all merchants residing at Bellary, hereinafter called The Licensees and Promoters of the one part and the Bellary Electric Supply Co., Ltd., a limited liability Company having its registered office at No.291. Linga Chetty Street, George Town. Madras, hereinafter called the Company, which expression shall, unless excluded by or repugnant to the context, be deemed to include the Bellary Electric Supply Co., Ltd., and its successors and assigns, of the other part.

Whereas the Licensees and Promoters above referred to first conceived the idea of lighting the town of Bellary with Electric light, Whereas, on their application for the grant of a license to generate. distribute and supply of electrical energy for lighting and Power Purposes within the Municipal limits of the said Bellary town, enclosing a map of the Proposed area of supply and Proposing to acquire for the purpose of the said license under

the Land Acquisition Act, the land washed yellow on the Plan, the Government of Madras by G.O. No.931 W dated the 5th July 1921, in exercise of the power conferred on it by Section 3 (1) of the Indian Electricity Act, 1910 was pleased to sanction the grant to the Licensees under it of a license cited the Bellary Electric License, 1921 to supply electrical energy in the area applied for on terms and conditions set forth therein, Whereas the said license was duly notified in the Fort Saint George Gazette, Madras and the deposited map referred to in clause 5 of the license was duly dated with the date corresponding with the date of the notification of the grant of the license and forwarded to the Electrical Inspector for Custody and Whereas under clause 12 of the said license and under the interpretation of the expression "Licensees" under it, it is permissible at any time after the commencement of the said license, for the Licensees under it with the consent of the Government of Madras to assign the said license or transfer the whole of their undertakings in respect of which the same was granted to a Company formed or to be formed and registered in British India and Whereas with the assistance of Mr. S.M. Hussain of the Electric Warehouse, Bangalore City, an expert in the line, the aforesaid Company has been formed and registered in Madras, a Company Limited by shares with an authorised capital of Rs. Ten lakhs divided into 100,000 shares of Rs.10/- each and having its registered Head office in Madras, in order to work the above license and Whereas it hath been arranged as a condition Preliminary to the formation of the said Company, between the said Mr. S.M. Hussain representing the above Company on the one part and the Licensees and Pro-

moters above referred to on the other that for all the trouble and expense taken by them in working for and eventually obtaining the said license, they shall be given by the said Company 250 shares as fully paid up in the capital of the company to be held by them jointly as a body in order to entitle and qualify any one of them by rotation permanantly for a place in the Board of Directors and Whereas the said agreement is fully referred to in the Prospectus of the said Company.

Now These Presents Witness and declare as follow:-

1. that in consideration of the Premises the Licensees and Promoters aforesaid do hereby make over, convey, assign and transfer unto the said Company and their successors and assigns the aforesaid license for the supply of electrical energy for lighting and power purposes to the town of Bellary and the full benifit and advantage thereof and all their right, title and interest therein including the whole of their undertakings in respect of which the said license was granted and the said Company doth hereby take over the said license with full authority under the Memorandum and Articles of Association to exercise all the powers, and to perform all the obligations given to or imposed on the licensees under the said license and the Indian Electricity Act, 1910 and the rules made thereunder. 2. That the rights, powers and authorities, obligations and liabilities of the Licensees under the license shall henceforth be exercised by and shall attach to the said Company and that the said Company shall apply to the Government of Madras for acquiring for the purpose of the said license under the Land Acquisition Act the land washed yellow in the plan

and with the approval of the said Government issue and enforce such conditions of supply of energy as may from time to time be necessary and do or cause to be done all things whatsoever necessary to be done in and touching the Premises. 3. that the Preliminary arrangement above referred to and come to between Mr.S.M. Hussain on the one part and the said Licensees and Promoters on the other shall become binding between them and the Company in the same manner and take effect as if the Company had been in existance at the date thereof and had been a Party thereto instead of the said S.M. Hussain. 4. that the said S.M. Hussain shall henceforth be discharged from all liability under or in respect of the said arrangement, 5. that in Pursuance of the above arrangement hereby adopted by the Company and in consideration of the trouble and expense taken by the said Licensees and Promoters and eventually obtaining the grant of the said license from the Government of Madras for supplying the town of Bellary with electrical energy, the Company doth hereby assign and allot to the said Licensees and Promoters 250 shares fully Paid up in the capital of the said Company to be held by them jointly as a body in order to entitle and duly qualify any one of them by rotation Permanently for a Place in the Board of Directors, and the full benifit and advantage thereof with all obligations attached thereto.

To have and to hold, receive, take and Possess all the ..id 250 shares hereby assigned and allotted or expressed so to be unto the said Licensees and Promoters, their heirs, executors, administrators and assigns absolutely and for ever with full Power of disposition and enjoyment, as effectually as if they were

holders thereof for cash and free from all encumbrances.

That the said G. Ramachendra Chetty shall be the first of the said Directors ex-officio and that the said Licensees and Promoters or their survivors shall agree amongst themselves or determined by lot who shall be such Director and duly communicat the same to the said Company at every subsequent rotation of the Directors.

In witness whereof the Parties hereto of the first part have hereunto set their hand and seal and the common seal of the said Company hath been hereunto affixed the day and year first above written.

Signed, sealed and delivered by the Parties of the first part in the Presence of.

(Signed) G. Ramachendra Chetty
" G. Pattirappa.
" K. Anjappa Row
" M. Krappa
X" K.S.N. Kalappa Row
" J. Chinna Rachappa
" Jadav Siddalingappa
X' K. Abdul Rahim

Witnesses.
(Signed) G.S. Bhimasenkao
" E. Subba Rao.

Letter No 2736/Ag/23-3 of 3 : X 23

To

M/s Ry G. Ramachandra Chetty & others

Licensees for the supply of Elec'-
energy to Bellary.

Sirs,

– Assignment of Bellary Electric
License

I am to state that your letter of 20th Aug 1923 reporting the assignment of the license to the Bellary Electric Supply Coy Ltd is signed by four persons only while the grant of the license sanctioned in Lr No 931 W/G dt 5-7-1921 is to six persons. It is therefore requested that a revised letter intimating the assignment of the license may be sent signed by all the six licensees

2/ It is observed from the Copy of the deed sent by the Bellary Electric Supply Coy. Ltd which has been assigned to them license that the deed is dated the 4th July 1922 while it is stated in your letter referred to above that the license & connected records were assigned to the Company on the 22nd Aug

X herewith enclosed for
perusal & return

p5 cf

4 cf

11 2 46

Aug 1923 I am to enquire whether any ~~supplemental~~ further deed has been entered into ~~not~~ in connection with the assignment ~~if so~~, to request that a co~~p~~y ~~contract thereof if so a copy of~~ also of that deed may be sent.

as permitted by Govt Dis Ltr dd 16th August 1923.

Thanks

2.10.23

3.10.23

DEPT. OF EDUCATION
4-OCT 1923

Enclosure / Copy of deed referred to. To be returned with reply

R. O' 2-11-23

Ex 12

P.No. 8

To 2736 Ad/23-4
d 2.11.23

M. R.Ry G. Ramachandra Chetty
& others

Licensees for the supply of electric energy to Bellary.

Sirs.

— Assignment of Bellary Electric License —

I am directed to invite your attention to my letter No 2736 Ad/23-3 & 3-(a) & to enquire when a reply may be expected.

Yours etc

2.11.23

2.11.23

RECEIVED
2 NOV 1923

IO

23-11-23

Yours etc

2nd reminder

M/s K.R.G. Ramachandra
Chetty & Others

Licensees for the supply of
electric energy to Bellary

2736 Ad/23-5 d 23.11.23

Sirs,

Assignment of Bellary
Electric licence —

I am directed to invite
your attention to my letter
No 2736 Ad/23-3 dt 3.10.1923
reminder thereon dt 2-11-23
& to enquire when a reply
may be expected

M/s 5-cf
P 7 cf

23.11.23

Yours

23-11-23

23/11

R.D No 5-12 dated 23

Assistant
24.11.23
for T.A.

A. II—8 (c)—185,005—27-4-15

~~NOTES~~: 14

3rd Reminder

To 2736 Ad/23-6

d 6-12-23

M. Rly

G. Ramachandra Chetty & others

Licenses for the supply of electric energy to Bellary.

Bellary.

Sirs,

— Assignment of Bellary Electric licens —

(1) Issue
(2) Edgmo

I am directed to invite your attention to my letter No 2736 Ad/23- dy 3-10-23 & reminders thereon dy 2-11-23 & 23-11-23, & to enqu ~~Whence reply may be expecte~~ request that a reply may be sen before the end of this month.

6.12.23

Yours ob

Dir. S.

D A nil.

3. 1. 24.

R. D — ~~24-12-23~~

Bellary, 1st December 1923.

From

E.R.Ry. G. Ramachandra Chetty Garu and others,

Licensees for the supply of electric energy

B E L L A R Y.

To

R.R. Aharegat, Esq., Assoc., M.Inst.C.E.,

Offg: Secretary to the Government of Madras,

P.W.D., (General, Buildings and Roads)

Chepauk, MADRAS.

Gentleman,

Assignment of Bellary Electric License.

With reference to your letter dated the 3rd October 1923 ref. 2736-Ad-23-3 I beg to inform you that my letter dated the 20th August last regarding the assignment of the License to the Bellary Electric Supply Co., Ltd., is signed by four persons as I thought that is enough. Anyhow as requested I enclose herewith a revised letter, intimating the assignment of the license, signed by all the six licensees.

With regard to the 2nd para of your letter under ref. I have to state that no further deed has been entered into in connection with the assignment.

A copy of the deed sent to me is returned herewith.

I have the honour to be,

Gentleman,

Your most obedient servant,

G. Ramachandra Chetty

Enclos:

ellary, Ist Decr. 23

From

F.R.Ry. G. Ramachandra Chetty Garu and others,

Licensees for the supply of electric energy,

B E L A R Y.

CRO 4026 Ad
12.12.23

To

harepat, Esq., Assoc., M. Inst.C.E.,

Offg: Secretary to the Government of Madras,

PWD., (General, Buildings and Roads)

Chepauk, M A D R A S.

Gentlema..,

With reference to G.O. No.815 W dated 16-8-1923 we have the honour to intimate that we have assigned the License and the connected records therewith to the Bellary Electric Supply Co., Ltd., Bellary, on 20th August 1923 as permitted in the G.O referred to above.

We have the honour to be

Gentleman,

Your most obedient servan..

G. Ramachandra Chetty

కమీనకరఅంకాపరావరుగు

ಕಮೀನಕರ ಅಂಕಾಪರಾವರುಗು

Scott. II-8 (o)—125,005—27-4 15

NOTE. 17

Page P.W.D

Letter. 27364d/23-8

To d 15.12.23

M.R.Ry T. Ramachandra Chetty & others.

Licenses for the Supply of electric energy to Bellary

Bellary

Gentlemen,

I am directed to acknowledge the receipt of your letter dt 1-12-1923 on the subject of the assignment the Bellary Electric License 1921.

I have etc

(1) Issue
(2) SAD for further action

14.12.23

Dtail

I O

(no calls.

15/12

15/12/23

Note

With reference to Secy's order on the Current, the above draft is submitted. After issue further action will be taken

14.12.23

15/12

Rec'd. 17/12/23

17/12

Memo No 2736 ~~Ed~~ 7-97 21.12/23

In G.O No 931 W & 5-7-1921 M R Ry
G Ramachandra Chetty & five others
were granted a license for the supply
of electric energy to the town of Bellary. Under clause
12 of the license appended to the G.O
"the licensees may, with the previous
"consent in writing of the Govt of Madras
assign their license to a Company."
With reference to an application
from the licensees
for the grant of permission to assign
their license to the Bellary Electric Supply
Coy Ltd, the licensees were informed
in letter No 294 C & 10-1-1923 that ~~the~~
Govt had
~~they~~ no objection to the ~~proposal subject~~
~~to certain condition~~. This Condition
was however subsequently withdrawn
in G.O.s No 815 W dy 16.8.1923 & the licensees
~~& the permission sought for was~~
were permitted to assign their license to
~~granted in G.O No 815-W dy 16-8-1923~~
said Company.

licensees intimated in their letter
dy 20.8.23 that they had assigned their
license & the connected records ~~on the~~
~~same date~~ to the Bellary Electric Supply
Coy. on the 20th August 1923.

A Copy of the deed of assignment
has been obtained from which
it is observed that the deed was

(1) Issue
(2) 8 Bd (urgent)
21.12.23

transfer proposed, but that
before the assignment is
effected the Coy should
satisfy Govt that the
paid up share Capital
available for the work
amounted to four Lakhs
of Rupees.

entered into on 4-7-1922 ~~which is~~ (ie) letters this Govt's letter dg before ~~the date of GO No 815 dated~~ no 2946 dg 10.1.23 or GO no 1015 dg ~~6-8-1923 wherein permission was~~ 16.8.23 was issued. ~~given by Govt to the assignment of the licence~~ It is presumed that the date of the above GO ~~is~~ should be taken as the date of the Govt's Consent to the assignment of the licence + that any such assignment should ~~be~~ have been made after 16-8-1923.

— It is also observed that in paragraph 1 of the deed, Eight persons are mentioned as 'Licencees + Promoters' but the persons named in items (1) + (8) therein are not licencees. It is not clear whether this is in order.

The Govt Solicitor is requested ~~to advise~~ to advise whether the deed of assignment is in order & if not in what respects it would require amendments. In case the deed is not valid, he is also requested to advise ~~as to~~ what steps should be taken by Govt in the matter & who should be held responsible for discharging the obligations & duties imposed on the licencees under the licence by the lessee

DESPATCHED
22 DEC 1923

To

The Govt Solicitor for write up

Copy of GO(MS) 931 W dg 7.11.22
" letter No 2946 dg 10.1.23
" GO(MS) 815 W dg 16.8.23
" letter from M.R.Ry G. Ramachandra Chetty to Govt dg 20.8.23
A copy of the deed of assignment dg 4-7-22
" letter from M.R.Ry G. Ramachandra Chetty + letter No 2736 AD-1 dg 3-10-23
" " dg 1-12-1923

(To be returned with reply)

(17 pages) and connected files containing further letters & enquiries referred to + copy of letter from ~~Govt~~ Deed of assignment.

T.D

1.12.23

21.12.23

21/12/23

Govt

No. 2

Madras 9th January 1924.

From

C. Moresby

Government Solicitor,

Madras

Ad SECTION
13 JAN 1924
RENT NUMBER
119

To

The Secretary to Government

Public Works Department

Madras

Sir,

I have the honour to acknowledge receipt of your letter -- No.2736-Ad/23-9 of the 21st ultimo together with its enclosures - which I have perused and considered and returned same herewith.

2. You wish to be advised whether the deed of assignment is in order but from the papers it appears that the assignment in -- question was executed without the previous consent in writing of Government which is necessary under section 9(2) of the Electricity Act and the document is therefore void ab initio and the -- fact that a subsequent sanction was granted does not make good an already void document.

3. You further wish to be advised what steps should be taken by Government in the matter and who should be held responsible for - discharging the obligations and duties imposed on the licensees - under the license. The only way out of the difficulty is for a fresh assignment to be executed. The original licensees are -- responsible to Government for discharging the obligations and -- duties imposed under the license until such fresh document is -- executed.

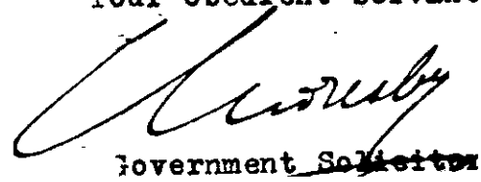
4. With reference to 2 other parties having joined in the -- assignment, though not correct it does not invalidate the document. It may be that these 2 persons were interested in the -- matter and that the transferees desire that they should be made parties to the transfer so as to get in what rights they may have

claimed in respect of the license. They should of course have been made separate parties and specified as the promoters if that is what they were in the transaction.

I have the honour to be

Sir,

Your obedient servant,



Government ~~Solicitor~~

South. II-8 (o)—185,905—27. 4. 15

P. W.D
Page

Urgent

Letter № 2736 Ad/23-12
dt 5-2-24
To

M. R.Ry G. Raghavendra Chetty
& five others
Licensees for the Supply of
electric energy to Bellary
Bellary.

:Feb 1924

Gentlemen,

Assignment of Bellary
Electric License —.
Correspondence ending with
my letter № 2736 AD/23-8
dt 15-12-1923.

p 17 Cb.

I am directed to
invite your attention to Clause
12 of the Bellary Electric License
appended to G.O № 931 W dt 5-7-21
which states that the "Licensee
"may, with the previous
"Consent in writing of the Govt
"of Madras" assign the licence
to a Company. You were
permitted to assign the
license to the Bellary Electric
Supply Coy Ltd in G.O № 815-W
dt 16-8-1923. But from the

Copy of the deed of assignment
of the license to the said Company
it is observed that the deed was
entered into on 4-7-1922 ~~which~~ (i.e)
~~is long before~~ prior to the date of G.O
No 815-W 916-8-1923. As the
~~Assignment~~ deed in question was
thus executed without the previous
consent in writing = Vide also
~~which is necessary~~ of Govt
~~under~~ Section 9(2) of the Indian
Electricity Act 1910 — the document
is void ab initio.

It is also observed that in
paragraph 1 of the deed eight
persons are mentioned as
'Licensees & promoters' but
the persons named in items (7)
& (8) therein are not licensees.
& these two persons were
interested in the matter & if the
transferees desired that they
should be made parties to the
transfer ~~& accepted that~~
~~rights they might have claimed~~
~~in respect of the licence~~ they should

have been made Separate parties & Specified as the 'Promoters' of that is what they were in the transaction - I am therefore directed to inform you that the assignment is void & that until a fresh deed is properly executed, the Govt will hold you responsible for discharging the obligations & duties imposed under the license. A copy of Such fresh deed that is executed should be Submitted to Govt.

Thanking

17.1.24

17.1.24

17/1/24

for information.

Dist Inspector of Cooch

I D

2.0 21 R - 2 - 1924 Dismissed

II-8 (e)—135,235—7-4-11.

FILES. 25

PAGE

To 2736 Ad/23-13
d 28.2.24

M. R. Ry G Ramachandra Chetty
& five others
Licensees for the supply of
electric energy to Bellary,
Bellary.

29 FEB 1924

Gentlemen,

I am directed to
invite your attention to my
letter No 2736 Ad/23-12 & 5-2-2
& to enquire whether a free
deed of assignment of the
Bellary Electric Licence is
being executed & if so whe
a copy of it may be
expected.

28.2.24

I am

Sd Arul

I O
RO 18.3.24

Brucepet, Bellary,

12th March 1924.

From

M.R.Ry. G. Ramachandra Chetty and five others,

Licensees for the Supply of electric

energy to Bellary, B E L L A R Y.

To

M.R. Kharegat. Esq., Assoc.M.Inst.C.E.,

Offg: Secretary to Government,

Public Works Department,

Chepauk, M A D R A S.

Gentleman,

With reference to your letter No.2736 Ad/23-13 dated the 28th ult. I beg to inform you that owing to the continued absence of our legal adviser from town we have not been able to complete the deed of assignment and we shall be able to send it in a few days. We, however, greatly regret the delay that has been caused in the execution of the same. A copy of it will be sent on to you on Monday next.

I have the honour to be,

Gentleman,

Your most obedient servant,

G Ramachandra

P. W. D

27

To 2736 Ad-23-14
d 2-4-24

M. R. Ry G. Ramachandra Chetty
& four others

Licenses for the supply of
electric energy to Bellary

DESPATCHED
3 APR 1924

Gentlemen,

I am directed to refer you to your letter dated 12-3-1924 & to enquire when a copy of the fresh deed of assignment of the Bellary Electric License may be expected.

Yours etc

for Secretary

2/4/24
Secretary

Nil.

I O

A.O. 21- 4/4 Drawn 2-4-24

P. W. D.

28

To 2736 A 0/23-15 A/28 4/11

M R Ry

G. Ramachandra Chetty & five others

Licensees for the supply of electric energy to Bellary.

Gentlemen,

I am directed to invite your attention to my letter (reminder) No 2736 A/23-14 & 2-4-29 24 & to enquire when a copy of the fresh deed of assignment of the Bellary Electric Licence may be expected. A very early reply is requested.

I have etc

25-4-29

25.4.29

Dr. S.

Dated

I D

18-5-

Dear

29

Bellary, 30th April 24.

PWD GO 1433 Ad
5-5-24

M.R. Kharegat, Esq., Assoc. M.Inst.C.E.,
Offg. Secretary to the Government of Madras,
General, Buildings and Roads,
Post Box No,410. Chepauk,.
M A D R A S.

Gentleman,

I have to acknowledge the receipt of your letter dated the 2nd inst. ref No; 2736 Ad-23-14 and have the pleasure in enclosing herewith a copy of the fresh deed of assignment of the Bellary Electric Licence.

I have the honour to be,
Gentleman,
Your most obedient servant,
G. Ramachandra Chetty

Enclos:1.

MEMORANDUM OF AGREEMENT

made and entered into this First day of April 1924

BETWEEN 1. G. Ramachandra Chetty, son of G. Narasimha Chetty. Hindu, Vysia, 2. K. Akappa Rao, son of K. Budoji Rao, Hindu, Kashathria, 3. M. Erappa, son of M. Marappa, Hindu, Lingayat, 4. J. Rachappa, son of J. Veerabadrappa, Hindu, Lingayat, 5. J. Siddalingappa, son of J. Soogappa. Hindu, Lingayat, 6. G. Pakeerappa, son of G. Siddappa. Hindu, Padmasala, all merchants residing at Bellary, hereinafter calle the "LICENSEES" of the one part And the Bellary Electric Supply Company Limited, a limited liability Company having its registered office at No,871, Goldsmith Street. Bellary. hereinafter called the "COMPANY" which expression shall, unless excluded by, or repugnant to the context include, its successors and assigns, of the other part.

WHEREAS the Licensees above referred to applied to the Government in the Public Works Department for the grant of a licence to generate, distribute and supply of electric energy for lighting and power purposes within the Municipal limits of said Bellary Town, enclosing a map of the proposed area of supply, the Government of Madras by G.O. No. 931 W. dated 5th July 1921 in exercise of the power conferred on it by Section 3 (1) of the Indian Electricity Act. 1910, was pleased to sanction the grant to the Licensees under it, o a licence cited THE BELLARY ELECTRIC LICENCE, 1921, for the supply o Electric Energy in the area applied for on terms and conditions set forth therein,

WHEREAS the said licence was duly notified in the Fort

St. George Gazette, Madras, and the deposited map referred in Clause 5 of the licence was duly dated with the date corresponding with the date of the notification of the grant of licence and forwarded to the Electrical Inspector to Government for custody,

WHEREAS under Clause 12 and Clause ? (?) of the said licence it is permissible at any time after the commencement of the said licence, for the Licensees under it, with the previous consent of the Government of Madras to assign the said licence or transfer the whole of their undertakings in respect of which the same was granted, and

WHEREAS the requisite consent under Clause 12 of the said licence has been communicated to the said Licensees by the Government of Madras in G.O. No,815 W dated 16th August 1923, permitting the assignment of the said licence to the Bellary Electric Supply Co., Ltd., a

WHEREAS the said Company has, in consideration of all the trouble undergone by the said Licensees in obtaining the said licence agreed to give the said Licensees 250 Shares as fully paid up in the capital of the said Company to be held by them jointly as a body in order to entitle and qualify any one of them by rotation permanently for a place on the Board of Directors, and

Now these presents witness and declare as follow:-

1. That in consideration of the premises the Licensees aforesaid do hereby make over, convey, assign and transfer with the said Company, their successors and assigns, the aforesaid licence for the generation and supply of Electrical energy for all purposes to the town of Bellary and the full benefit and advantage thereof and all their right, title and interest therein including the whole of their undertakings in respect of which the said licence was granted and the said Company doth hereby take over the said licence with full autho-

rity under the Memorandum and Articles of Association to exercise all the powers granted to and to perform all the obligations imposed on, the said Licensees under the said licence and the Indian Electricity Act, 1910 and the rules made there under.

2. That the rights, powers and authorities, obligations and liabilities of the said Licensees under the licence shall henceforth be exercised by and shall attach to the said Company.

3. That in the pursuance of the arrangement with the Licensees herein before referred to, the said Company assigned and allotted to the said Licensees, 250 shares fully paid up in the capital of the said Company to be held by them jointly as a body, in order to entitle and qualify any one of them by rotation permanently for a place on the Board of Directors and the full benefit and advantage thereof with all obligations attacned thereto.

4. That consistently with the above, the said Licensees are entitled to have, hold, receive, take and possess all the said 250 shares assigned and allotted or expressed so to be to the said Licensees, their heirs, executors, administrators and assigns absolutely and for ever with full power of disposition and enjoyment, as effectually as if they were holders thereof for cash and free from all encumbrances.

That in pursuance of the arrangement agreed to for the representation of the Licensees by one of them, Mr. G. Ramachandri Chetty has been elected as the first Ex-officio Director.

That it hath also been agreed by the Licensees that in the event of a vacancy in their representation on the Directorate,

A.
33

they or their heirs and survivors among the said Licensees, shall elect one of them to the vacancy and duly communicate the same to the said Company at every subsequent rotation of the Directors.

In Witness whereof the parties hereto of the first part have hereunto set their hand and seal and the common seal of the said Company hath been hereunto affixed, the day and year first above written.

Signed, sealed and delivered by the parties of the first part in the presence of

Rao Sahab
G. Seetharamaiah
merchant
Bellary
29.4.24

1. G Ramachandraiah
2. [illegible]
3. [illegible]
4. [illegible]
5. [illegible]
6. [illegible]

~~From the Govt Solicitor No 29 of 9-1-1924~~

From the Rly Board Chetty of 30-4-1924

Submitting a copy of the fresh deed of assignment of the Bellary Electric Licensee

pp 29-33 Cf

Endt. 2736 A/D/23-17 D/23.5/24

Refused to the Govt Solicitor who is requested to advise whether the fresh deed of assignment of the Bellary Electric Licence is in order & whether on its authority the Bellary Electric Supply Coy Ltd may ~~in future~~ be held responsible for discharging the obligation & duties imposed on the licensees under the Bellary Electric Licence 1921. Relevant papers are sent herewith for reference return

pp 30-33 Cf

12.5.24

DESPATCHED
27 MAY 1924

The Govt Solicitor with

1) { Copy of GO No 931-W of 5.7.21
letter No 294 C of 10.1.23
do No 815-W of 16-8-1923 } copies already kept in the file

~~Contract file (33 papers)~~

containing further correspondence & a copy of the fresh deed of assignment — ~~to be returned~~ with reply.

I D

13/5

(2) In original
memo no 2736 A/D-9 of 21.12.23 with original deed of assignment
Govt Solicitors no 29 of 9.1.1924
Letter ~~Govt~~ no 2736 A/D-12 of 5.2.
Letter from Rly Bd. Chetty of 30.4.24, with Copy of deed of assignment

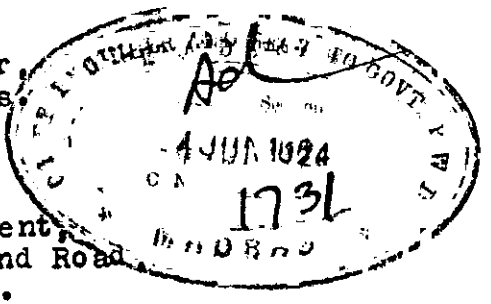
R D Bourdillon 2/5

No.683

35 Madras, 31th May 1924.

From

C. Moresby,
Government Solicitor,
M a d r a s.



To

The Secretary to Government,
General Buildings and Roads,
M a d r a s.

Sir,

I have the honour to acknowledge receipt of your memorandum No.2736 Ad/23-17 of the 23rd instant and I am of opinion that the fresh deed of assignment is in order and that on its authority the Bellary Electric Supply Company Limited may be held responsible for the discharge of the obligations and duties imposed on the licensees under the Bellary Electric License 1921.

2. I return the papers sent.

I have the honour to be,

Sir,

Your obedient servant,

Government Solicitor.

36

P.W.D

C/P 2736 A/23 from M.R.Ry G. Ramachandra Chetty rothers & 20.9.23
2740 the Bellary Elec. Supply Coy. Ltd & 20 & 21.

Assignment of Bellary Electric Licence

US

Submitted

It seems a copy of the deed assigning the licence to the Bellary Electric Supply Coy Ltd may be called for for record in the Office
A draft letter is accordingly submitted

Present
Vide Sec Proc
17-5-W & 29.8.06
Illegible
removed

29.8.23 All 29.8.23

29/8/23

Issued as P 2736 A/23 & 30.8.23

3 pf

C/P 2736 A/23 from the Hon'ble Dist Collr
dated 29.8.23

4 pf

US

Submitted.

~~Copy of the deed, sent by the Bellary Elec Supply Coy. Ltd~~, The file may be sent to the Electric Inspector (Ele) for perusal of the

OFFICE OF THE ELECTRICAL INSPECTOR
M-ORNO2056
21 SEP 1923

18.9.23 Copy of the deed sent by the Bellary Electric Supply Coy Ltd.

ID

All 19/9 E.I.G. 20/9/23

P Wno 2736 A/23-2
20-9-23

L.O. No 1343 '21

21. 9—23. pp 5-7 C

I am afraid the deed is invalid- in so far as clause 12 of the Bellary Electric License is concerned— in that the deed was entered into on the 4th July 1922 long before 10th January 1923, the date of Government's consent (P.W.D. Memo.No. 294-C) to the proposed transfer. That consent was subject to a condition subsequently withdrawn on 16-8-23 (G.O. No. 815-W); so for the purposes of this case the date of Government's consent to the transfer may I think be taken as 10-1-1923.

flag G

flag B

flag A

RECEIVED
02 SEP 1923
CURRENT NUMBER
03137

I suggest the Government Solicitor be referred to firstly for opinion as to the validity of the deed and secondly for advice as to what Government should do in the matter.

E.J.B. Greenwood
21-9-23

DC2
21/9

P.W.D

US.

Submitted.

With reference to the EC Inspectors remarks above please see the letters from Mr. G. Ramachandra Chetty & others & the Bellary Electric Supply Coy. Ltd on pp 1-2 C.F. wherein it is stated that the License & the connected records have been assigned to the Company on the 20th Aug 23. It is not clear whether any other deed was executed on that date. ~~The~~ The Licensees perhaps ~~Company~~ may first be asked in the matter. ~~before referring it to the Govt. Solicitor. A draft letter in this view is submitted~~

B

27/9/23

3. ~~Hon~~ Please see the Hl. Asstt's remarks at A on the previous page. It seems that 16.8.23 should be taken as the date when permission was given by Govt to the licensees to assign the license. This point may be settled by a reference to the Govt Solicitor

4 Some other defects are also noticed. The licensees are six in number — Vide GOMs. 931 W & S. 7.21. The letter at p 1 C7 reporting the assignment of the license is signed by only four of them. It ~~seems that they were~~ is for consideration if the licensees may be asked to send a revised letter signed by all the six licensees.

In the deed of assignment Right men are mentioned as 'Licensees & promoters'. The persons mentioned in (7) & (8) therein are not licensees. It is not clear if this ~~deed~~ is in order. The Govt Solicitor may be referred to on this point also.

5. If appd, the licensees (G. Rama-Chendra chetty & others) may perhaps be first addressed with reference to B & C in this note before the Case is put before the Govt Solicitor

For orders

29.9.23

Draft letter wpd
DT 2
1/10

A draft memo is submitted

2.10.23

3.10.23

3 WTM

Issued as No 2736 A

US

No reply has yet been received from M.R.Rs G. Ramachandra chetty & Sons. A draft reminder is submitted

2.11.23

2.11.23

Issued as 2736 Ad-4 dt 2-11-23

US

No reply has yet been received from M.R.Rs G. Ramachandra chetty & Sons. A draft reminder is submitted

23.11.23

23/11

Issued as No 2736 Ad-5 dt 23.11.23

US

No reply has yet been received from M.R.Rs G. Ramachandra chetty & Sons. They were reminded twice.

A draft third reminder is submitted, fixing a time limit for reply. After issuing the file may be sent to the Zl Inspector (Accs) for remarks as to whether he knows anything about the present stages of the Scheme.

8.12.23

x Issued as 2736 Ad/23-6 dt 6.12.23

the present stage of the scheme

Memo
2736 Ad/23-7
7-12-23

OFFICE OF THE ELECTRICAL ENGINEER TO THE GOVT. OF MADRAS
U.O.R. No. 2704
7-DEC 1923

SECTION
DECISES
DOCUMENT NUMBER
4018

1. The present stage of the scheme is that a firm of contractors --in contract with the Bellary Electric Supply Company-- is proceeding with the work. The steel frame work of the power station and about one-half of the poles in the streets have been erected. My approval-- under Section 18 of the Act-- to the over head construction is not yet given, the Supply Company has not yet submitted drawings, I have called for them from the new Supply Company

2. In view of the doubtful deed of assignment I am not clear as to who is responsible under the Bellary License 1921 for the construction work now going on. As the original licensees do not reply it seems they consider the new company responsible for all matters connected with the license. I suggest Government warn both parties-- the original licensees and the Bellary Electric Supply Company-- that the work in the streets will be stopped until a proper deed of assignment is entered into by (say) 1st February 1924.

E.B. Greenwood
11.12.23

Lr 2130 dated 11-12-23

12/12

1115-16 G&P 4026 Ad from Mr R.K. Ramachandra Chetty & others 9/1-23
Letter to " " No 2736 Ad-8 9/15-12-23
acknowledging receipt of his letter
US.

Submitted

As Mr R.K. Ramachandra Chetty & others have
Lr 10 ... since replied to this office No 2736 Ad/23-3 9/3-10-23
it seems the course suggested by El. Supdt. at Mahom

is not necessary for the present.

The Govt Solicitor may first be requested to advise on the points raised on ff 2-3 ante. A draft memo is submitted herein may be sent to the El Inspector Mds for perusal ~~prior to issue~~ after issue of 22.12.23.

Alli
21.12.23

PK
21/12/23

Before starting any work, approval of the methods of construction should be ~~approved~~ obtained under Section 18 of the Act. This point should be taken up after issue of the memo.

PK
21/12/23

1/A.

Issued as No 2736 AD-9 & 21-12-23

(1) Issue
(2) DC2/AD
Reference
Action/Papers

Alli
21.12.23

US

Reference US's remarks above

The El Inspector is authorised to discharge the functions under section 18 of the Act- vide GO No 1065-W & 17-7-1916 — Para 2

Please see also para 10 of the El Inspector's note overleaf.

The file may now be sent to the El Inspector (Mds) with further remarks, if any, for perusal ~~and taking necessary action~~ which U.S wishes to make with reference to Action. ~~under Section 18 of the Act~~

OFFICE OF THE ELECTRICAL INSPECTOR TO THE GOVT OF MADRAS
G.O.R.No. 287
28 DEC 1923

Govt wire

I D 2736AD-10/23
22.12.23

2
22.12.23 Alli 22.12.23

E.J.

PK
22/12/23

RD 11-1-24

On the 20th Dec 1923 the Supply Company sent me drawings for the overhead construction; ~~xxx~~ today I have approved those drawings under Sec 18 of the Act and informed the Company accordingly

E.J.B. Greenwood
28.12.23

28/12/23

C.O. 2-2(7)
1-3-12-24

PWD

SECTION
28 DEC 1923
4168

US

Submitted

2 The reply from the Govt Solicitor to memo of 2736 Ad-9 dt 21-12-23, will be awaited till 18-1-24.

4.55 p.m.
JCR
3.1.24
3.1.24
5.1.24

Claimed

Cno 119 Ad from the Govt Solicitor no 29 dt 9.1.24

11:20.21 cf.

US

Submitted

In the circumstances stated by the Govt Solicitor, M.R. G. Ramachandra Chetty & others may be told that ~~called to execute~~ should be executed a fresh deed of assignment they may also be told that they will be held responsible for discharging the obligations & duties imposed under the license until such fresh document is executed. A draft letter is submitted

The defect dealt with in para 4 of the Govt Solicitor's letter may also be pointed out.

If no reply is received in time, the course suggested by the El Insp.r at M on p 5 ante may then be considered ~~Otherwise the draft~~ The Draft may be sent to the El Insp.r Ccn for perusal & ~~[illegible]~~ remarks, if any, prior to issue

D
19.1.24 Clk
17.1.24

17/1/24

I D
Ccn
R.D 27-1-24

E.I.G 21.D.

Draft perused ; I think it is quite in order. Presumably the licensees will enter into a fresh deed of assignment in the next few weeks ; hence the course proposed by me at M on p.5 may be over for a reasonable time, say upto 1st April 1924.

E.J.B.Greenwood
25-1-24

Memo
2736 Ad/23-11
17-1-24

OFFICE OF THE ELECTRICAL INSPECTOR TO THE GOVT. OF MADRAS
U.O.R.NO.150
18 JAN 1924

U.O. 143 dated 28-1-24

AD SECTION
29 JAN 24
CURRENT NUMBER
322

US.

Submitted for orders as to issue of the draft letter. It is for consideration if the draft letters should be circulated to C3. for approval

EED 2 Asst
hkl
1/2/24
29/1.

D
29.1.24 Clk
29.1.24

hkl
1/2/24

C3. Approved
CDR
2/2/24

29/1/24

P.W.D. Book No. 53
1-2-24
Read on 2-2-24

The draft letter may now be issue

Issue cve

2.2.24

Issue cve

4/2/24

4/2/24

cs

S.

1/p 22-24 S Issued as letter No 2736 Ad/23-12 dt 5-2-24

cs

No reply has been received from the licensee. They may perhaps be requested to state whether they are executing a fresh deed of assignment & if so, when a copy of it may be expected. A draft letter is submitted.

dt 28.2.24

28/2/24

28/2/24

Issued as No 2736 Ad/23-13 dt 28.2.24

C&D 883 Ad from M.R.R. Pl. Ramachandra Chetty & others dt 12.3.24

L.O. dt 1.4.24 - Drawn

dt 21.3.24

21.3.24

21/3/24

cs

cs

A copy of the fresh deed of assignment of the licence has not yet been received. A draft reminder is submitted.

dt 1-4-24

2/4/24

2/4/24

45

Issued as No 2736 Ad/23-14 dt 2-4-24. p 27 Cf

US.

No reply has yet been received from the licensees. A draft reminder is submitted.

Dc
Draft letter to the Licensees is submitted

25-4-24

25/4

27/4/24

Dl. 5
25.4.24

Issued as No 2736 Ad/23-15 dt 28.4.24 p 28 Cf

No 1433 Ad from M. Rly S. Ramachandra Chetty dt 30-4-1924. H 29-33 Cf

HS.

Submitted

Draft letter
28/4

The copy of the fresh deed of assignment of the Bellary Electric Licence now received may be referred to the Govt Solicitor who may be requested to advise whether it is in order & whether on its authority the Bellary Electric Supply Coy Ltd may be held responsible for discharging the obligations & duties imposed under the Bellary Electric Licence. A draft ltr is submitted. It may be sent to E. I. Rly (HO) for perusal & remarks if any, prior to issue. H 30-33 Cf

OFFICE OF THE ELECTRICAL INSPECTOR TO THE GOVT. OF MADRAS
O.O.R. No. 1037
14 MAY 1924

Glo 2
13/5

H 9-11 Cf & leg W

ENGINEER AND SECY. TO GOVT. P.W.D.
Section
20 MAY 1924
C. No 1606
MADRAS

Prod. No. 1736 12-16

I 16.5.24

12.5.24

13/5

File perused
No remarks

E. I. Rly. HO.
T. A. Greenwood.
19.5.24

14/5/24

R O 2 drafted as desired
O.O. 929 dated 19-5-24
Copy sent to E. I. Rly HO
Govt Sol & S.C.

Submitted.

The draft email to the Crook Solicitor may now be issued

20-6-24 AW 20/6

21/6/24

p34 cf Issued as No 2736 Ad/23-17 of 23-6-24

Case 1731 Ad from the Crook Solicitor No 683 of 31-5-24

p35 cf.

US

Submitted

In the circumstances stated by the Crook Solicitor, no further action is necessary. The papers may be recorded. A draft order is submitted

It may perhaps be circulated to C3

at a previous stage

Vide p 8 ante

14.6.24 AW 16/6

17/6/24

17/6/24

C3 COR 18/6/24

Issue.

21.6.24

18/6/24

S 19/6/24

41

Scott. II.10 (a)—16,002—6-2-23. (6)

P. W. DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

Class B.

HEAD AGAIN G.O. No. 815 W, dated 16 — 8 — 1923,

" " " " " " 192

HEAD ALSO;—

C. No. 1433 Ad, ~~From the~~ from Mr. R.S.G. Ramachandra Chetty one of the licensees for the Supply of electric energy to Bellary. 30.4.1924.

Recd. with enclosure.

" " " " " " 192

to all except to Bellary Electric Supply Coy & Mr. R.S.G. Ramachandra Chetty & others

" " " " " " 192

ORDER.

Misc

724 W

No. , dated 23.6. 192

Recorded

(B.O.G.C.)

14.6.24

16/6/24

17/6/24

Secy.

26 JUN 1924

copy to the R.S.G. dept. ✓

.. Development dept. ✓

.. Collector of Bellary. ✓

.. Chairman Municipal Council Bellary. ✓

.. El Inspr. to Govt. ✓

.. Bellary Electric Supply Coy Ltd

.. Mr. R.S.G. Ramachandra Chetty & others ✓ licensees for the supply of electric energy to Bellary

Ad

Scott. II–47—697 Bks.—24-1-18 (5)

A. / B. / N.P. } (a)

PW DEPARTMENT.

ORDINARY ~~ROUTINE~~ SERIES.

† G.O. No. | ated | 191

CIRCULATED. / NOT CIRCULATED. / NOT SEEN BY C.S

Receipt numbers	2736 A/23
Number and date of previous proceedings.	

Tabling Abstract.

Electricity — Ballarat Electric Lighting Act 1921 — Deed of arrangement between the Ballarat Electric Supply Company Ltd — Company - Receiver

(b) **Index Headings.**

MAIN HEADING Electricity

CROSS REFERENCES.

SPECIAL INDEX.

~~DO~~ NOT SPECIAL INDEX.

(a) and (b) not to be filled in for 'Routine' Series.